IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARK BITTS,	)	CIVIL DIVISION
	)	
Plaintiff,	)	No: 20-_____
	)	
v.	)	
	)	**ELECTRONICALLY FILED**
MIDLAND FUNDING, LLC,	)	
	)	
Defendants.	)	**JURY TRIAL DEMANDED**

PETITION FOR REMOVAL OF CIVIL ACTION

PLEASE TAKE NOTICE Defendant, MIDLAND FUNDING, LLC, hereby removes to this Court the state court action described below.

1.   On or about December 27, 2019, Plaintiff filed an action in the Court of Common Pleas of Allegheny County, State of Pennsylvania, entitled and captioned: *Mark Bitts v. Midland Funding, LLC* and assigned Case No: AR 19-006326 via Complaint.

2.   Plaintiff's Complaint was served upon Defendant on January 6, 2020.

3.   The following pleadings have been filed in this action to date:

   (a)   Complaint;

   (b)   Exhibits to Complaint;

   (c)   Proof of Service of Complaint;

   (d)   Praecipe for Entry of Appearance on behalf of Defendant; and

   (e)   Notice of Filing of Petition for Removal of a Civil Action.

See pleadings attached hereto as Exhibit "A".

4.   This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. §1331, and is one which may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. §1441(b) in that it arises under the Fair Debt Collection Practices Act ("FDCPA") 15 U.S.C. §1692(a), *et seq.*

5.   The Court of Common Pleas of Allegheny County, Pennsylvania, Civil Division, is located within the jurisdiction of the United States Court for the Western District of Pennsylvania. This Court is the court embracing the place where the action is pending.

6.   This Complaint is removable to the United States District Court for the Western District of Pennsylvania, from the Court of Common Pleas of Allegheny County, Pennsylvania, Civil Division pursuant to 28 U.S.C. §1331, §1441 and §1681.

7.   The Complaint alleges the action is brought under the FDCPA. As such, this Court has federal question jurisdiction over this action pursuant to 28 U.S.C. §1331.

8.   This Notice of Removal is being filed within 30 days of the date upon which Defendant was served with Plaintiff's Complaint.

9.   Pursuant to 28 U.S.C. §1446(b), a Notice of Removal "shall be filed within thirty days after receipt by the Defendant, through service or otherwise, of a copy of the initial pleading.

10.   Concurrently, Defendant provided written notice of this Petition for Removal to Plaintiff's counsel and filed a copy with the Court of Common Pleas of Allegheny County, Pennsylvania, Civil Division, as required by 28 U.S.C. §1446(d).

WHEREFORE, Defendant removes to this Court the above-entitled action, now pending

in the Court of Common Pleas of Allegheny County, Pennsylvania, Civil Division, and requests

that this action be placed on the docket of this Court for further proceedings as though this action

had originally been instituted in this Court.

Respectfully submitted,

**MARSHALL DENNEHEY
WARNER COLEMAN & GOGGIN**

BY: *s/ Danielle M. Vugrinovich*
        Danielle M. Vugrinovich, Esquire
        PA ID #88326
        Attorney for Defendant, Midland Funding, LLC
        Union Trust Building, Suite 700
        501 Grant Street
        Pittsburgh, PA 15219
        412 803-1185
        412 803-1188/fax
        dmvugrinovich@mdwcg.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **Petition for**

Removal of a Civil Action has been served upon the following known counsel of record this 5th

day of February, 2020, via electronic mail and/or United States First-Class Mail, postage prepaid:

Joshua P. Ward, Esquire
Brian J. Fenters, Esquire
The Law Firm of Fenters Ward
The Rubicon Building, Suite 201
201 South Highland Avenue
Pittsburgh, PA 15206
jward@fentersward.com
  (Counsel for Plaintiff)

MARSHALL DENNEHEY
WARNER COLEMAN & GOGGIN

s/ Danielle M. Vugrinovich
DANIELLE M. VUGRINOVICH, ESQUIRE
Attorney for Defendant, Midland Funding, LLC